

# BIRCH, STEWART, KOLASCH & BIRCH, LLP

## INTELLECTUAL PROPERTY LAW

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Date: September 16, 2003

Docket No.: 4450-0404P

MS PATENT APPLICATION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing is a patent application claiming priority under 35 U.S.C. § 119(e) of Provisional Application No. 60/411,007, filed on September 16, 2003.

Inventor(s): Michael Y. FRANKEL, Joseph E. BERTHOLD

For: OPTICAL CROSS CONNECT APPARATUS AND METHOD

Enclosed are:

- A specification consisting of twenty-one(21) pages
- Eight (8) sheet(s) of formal drawings
- An assignment of the invention
- Applicant does not claim priority
- Applicant claims the right of priority under 35 U.S.C. § 119 based on Application No(s). filed in on .
  - Certified copy(ies) is(are) attached hereto.
  - Certified copy(ies) will follow.

10/16/03  
18334 U.S. PTO

17497 U.S. PTO  
10/662353  
09/16/03

Executed Declaration ( Original  Photocopy)

Applicant claims small entity status under 37 C.F.R. § 1.27.

Preliminary Amendment

Application Data Sheet in accordance with 37 C.F.R. § 1.76

Information Disclosure Statement, PTO-1449 and reference(s)

Applicant requests early publication - \$300.00 publication fee

Non-publication Request and Certification under 35 U.S.C. § 122(b)(2)(B)(i)

Other: Preliminary Amendment

Provisional application filed in English:  
 YES  NO

If "NO," an English translation with a Statement of Accuracy:  
 is attached hereto  will follow.

The filing fee has been calculated as shown below:

		LARGE ENTITY		SMALL ENTITY	
BASIC FEE		\$750.00		\$37500	
	NUMBER FILED	NUMBER EXTRA	RATE FEE	RATE FEE	
<b>TOTAL CLAIMS</b>	26 - 20 =	60	X 18 = \$108.00	x 9 = \$0.00	
<b>INDEPENDENT CLAIMS</b>	4 - 3 =	1	x 84 = \$84.00	x 42 = \$0.00	
<b>MULTIPLE DEPENDENT CLAIMS PRESENTED</b>			+ \$280.00	+ \$140.00	
		<b>TOTAL</b>	<b>\$942.00</b>	<b>\$0.00</b>	

A check in the amount of \$942.00 to cover the filing fee and recording fee (if applicable) is enclosed.

Docket No. 4450-0404P

- Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this transmittal form is enclosed.
- Please send correspondence to:  
BIRCH, STEWART, KOLASCH & BIRCH, LLP or Customer No. 02292  
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If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By

  
Michael R. Cammarata, #39,491

MRC/HNS/kpc

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Attachment(s)

(Rev. 08/12/03)